

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JUNIOR BERNARD,

Plaintiff,

- against -

OFFICER ROMEN,

Defendant.  
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TOWNES, United States District Judge:

On December 27, 2011, pro se plaintiff Junior Bernard commenced this action pursuant to 42 U.S.C. § 1983 alleging that defendant Officer Francisco Roman sexually assaulted him. At the time of the filing, Bernard was incarcerated at the Anna M. Kross Center ("AMKC"), 18-18 Hazen Street, East Elmhurst, NY 11370. (Docket No. 1). By letter dated September 5, 2012, Defendant informed the Court that in taking steps to arrange a telephone conference, Defendant learned that Bernard was no longer at that facility and an online search indicated that he was no longer in custody. (Docket No. 12). On September 6, 2012, Magistrate Judge Lois Bloom ordered Bernard to provide the Court with his current address by September 21, 2012, or she would recommend that his case be dismissed. (Docket No. 13). On October 15, having received no word from Bernard and with two mailings to the AMKC address returned as "undeliverable," (see Docket Nos. 14, 15), Judge Bloom issued a Report and Recommendation ("R&R") recommending that Bernard's complaint be dismissed without prejudice and the case closed, (Docket No. 16). Bernard has filed no objections, he has not communicated in any way with the Court, and a copy of the R&R was returned on October 24, 2012, as "undeliverable." (Docket No. 17).

FILED  
IN CLERK'S OFFICE  
US DISTRICT COURT  
★ DEC 18 2012

BROOKLYN OFFICE

**MEMORANDUM & ORDER**  
**ADOPTING**  
**REPORT & RECOMMENDATION**

11-CV-6346 (SLT) (LB)

A district court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). Nonetheless, when no objections are filed, many courts seek to satisfy themselves "that there is no clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee note (1983 Addition); see also Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 WL 2027913, at \*2 (E.D.N.Y. July 11, 2007). Having reviewed the record in this case and finding no clear error, the Court adopts the R&R (Docket No. 16) in its entirety pursuant to 28 U.S.C. § 636(b)(1) and dismisses the complaint without prejudice. The Clerk of Court is respectfully directed to close the case.

**SO ORDERED.**

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/SANDRA L. TOWNES  
United States District Judge

Dated: November 30, 2012  
Brooklyn, New York